

and that the pad may have a growth factor impregnated surface or a molecular graph on the pad surface or is antimicrobial.” At col. 3 lines 2-5 it is stated that the pad has “a smooth outer surface that has pores close enough together so that the healing tissue will not grow into the pad” and at col. 3 lines 13-14 the pad is designed “such that when the pad is removed, it does not disrupt the healing tissue.” Col. 6 indicates that the pad has pores of a certain diameter to “allow for a vacuum of air to flow through the pad while preventing the healing tissue from cross-linking with the pad.” A similar statement occurs at col. 7 lines 14-16. Thus it is clear that Lina et al. (823) does not want a biodegradable pad and does not want the pad to be that close to the wound area that migration can occur which would allow for biodegradableness of the pad. Rather, Lina et al. (‘823) wants the pad to be separated from the wound area to prohibit migration and to allow for removal of the pad with the unit and not biodegradation of the pad. Accordingly, Lina et al. (‘823) provides no more of teaching than Argenta (‘081). Accordingly, the proffering of the Lina et al. (‘823) teaching as indicating that you would use a vacuum system with a biodegradable collagen pad is not well taken. The teachings in Lina et al. (‘823) are commensurate with the declaration previously submitted which would indicate that you would not use a vacuum system with a medicinal pad at a wound area where the pad is to be biodegradable and to be of such a nature as to allow in-growth from the wound into the pad. Accordingly, the Examiner’s comments concerning the declaration and the allegation that Lina et al. (‘823) teaches otherwise is not well taken. Lina et al. (‘823) is in accord with the declaration and hence as indicated by the declaration, it would not be obvious for one skilled in the art to use a vacuum system with a biodegradable collagen pad. Further, while the vacuum source is not positively recited in the bandage claims, such is not necessary for allowance, since the vacuum communication recitation is sufficient to provide an non-obvious relationship, since one would not provide a vacuum communication with a collagen pad as explained in the declaration. Accordingly, reconsideration of this rejection is requested.

Reconsideration of the rejections of claims 6 and 7 for substantially the same reasons as the rejection above and further view of Wadstrom ('427) under 35 U.S.C. 103(a) is requested. Wadstrom ('427) was not proffered for, nor does it cure the inadequacies of the teaching of Lina et al. ('823) as explained supra and hence reconsideration of this rejection is requested.

Examiner Channavajjala is thanked for the courtesies extended during the recent interview wherein the above comments concerning the rejections were made. The Examiner's interview summary appears to be an accurate summary of what went on during the interview.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees, be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (7175/67882) .

Respectfully submitted,

BARNES & THORNBURG

A handwritten signature in dark ink, appearing to read 'M. Newman', followed by a horizontal line.

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